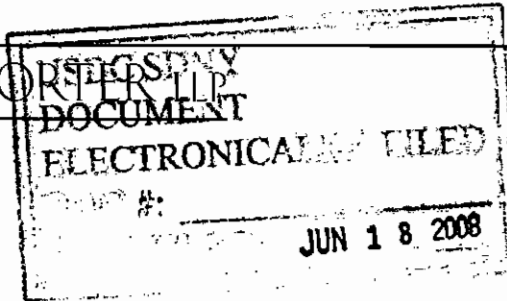
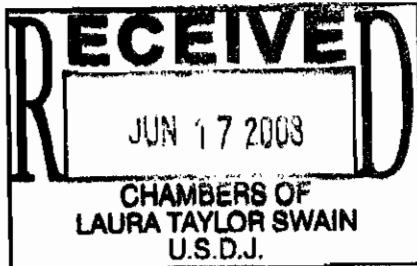


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June 13, 2008

The Honorable Laura Taylor Swain
United States Courthouse
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

NOT ENDORSED

Re: UniCredito Italiano and Bank Pekao, SA v. J.P. Morgan Chase Bank, et al., 02 Civ. 5328 (LTS) (JCF); DK Acquisition Partners, L.P. et al. v. JPMorgan Chase & Co., et al., 08 Civ. 0446 (LTS) (JCF); Avenue Capital Management II, L.P., et al. v. JPMorgan Chase & Co., et al., 08 Civ. 0447 (LTS) (JCF)

Dear Judge Swain:

As attorneys for the *UniCredito* plaintiffs, we write in regard to the motion for partial summary judgment, which was brought by all three sets of plaintiffs in the above actions when the actions were pending in the Southern District of Texas. On June 4, 2008, in response to a query from the parties, Your Honor indicated that the Court wished to receive for this motion statements of fact as prescribed by Local Rule 56.1. Your Honor further requested that the parties report back as to a schedule for the service and filing of such statements.

The parties have conferred and have agreed upon a schedule for the exchange of the Rule 56.1 statements. Absent any objection from the Court, plaintiffs will serve and file their statement on July 25, 2008; defendants will serve and file their counter-statement on September 8, 2008.

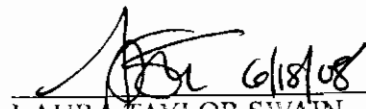
Respectfully,


Charles G. Berry

The proposed schedule is approved.

cc: David J. Woll, Esq.
Michael E. Gertzman, Esq.
David A. Barrett, Esq.
James B. Heaton, III, Esq.
Robert A. Goodman

SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE